

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

WILLIE SAMPSON,

Petitioner,

v.

JACK PALMER, et al.,

Respondents.

Case No. 3:11-cv-00019-LRH-WGC

ORDER

In 2003, petitioner was convicted of one count of first-degree kidnapping, two counts of lewdness with a minor under the age of 14, one count of attempt sexual assault with a minor under the age of 14, one count of sexual assault with a minor under the age of 14, and one count of possession of a firearm by ex-felon. (ECF No. 46-13 (Exh. 224)). Following direct appeal and state post-conviction proceedings, petitioner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, initiating this action. (ECF No. 4). On March 31, 2014, the Court denied the petition. (ECF No. 86). Petitioner appealed.

On October 6, 2015, the Ninth Circuit Court of Appeals reversed and remanded with instructions that this Court grant a conditional writ of habeas corpus. (ECF No. 97).

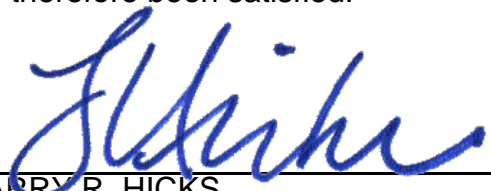
On June 13, 2016, following issuance of mandate, the Court entered an order conditionally granting the petition for writ of habeas corpus and directing the State to release petitioner from custody unless it timely filed a notice of election to retry (ECF No. 105; see *also* ECF Nos. 109 & 112). The Clerk of Court entered judgment in favor of

1 petitioner and against respondents, conditionally granting the petition for writ of habeas  
2 corpus. (ECF No. 106).

3 The State thereafter filed its notice of election to retry petitioner. On August 4,  
4 2017, respondents notified the Court that following a new trial petitioner had again been  
5 found guilty of one count of first-degree kidnapping, two counts of lewdness with a minor  
6 under the age of 14, one count of attempt sexual assault with a minor under the age of  
7 14, and one count of sexual assault with a minor under the age of 14. (ECF Nos. 114 &  
8 115). On October 6, 2017, respondents filed a supplement to the notice, indicating that  
9 petitioner had been sentenced following his retrial and judgment of conviction had been  
10 entered. (ECF No. 116).

11 As petitioner has been retried on the charges that were the subject of this case,  
12 the conditional writ granted on June 13, 2016, has therefore been satisfied.

13 DATED this 10th day of April, 2018.

14   
15 LARRY R. HICKS  
16 UNITED STATES DISTRICT JUDGE  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28